IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE FIFTH DAY OF FEBRUARY
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

Writ Petition No.1902 of 2007

Between:

S.Abdul Khadar Jeelani.

.....
PETITIONER

AND

Municipal Corporation of Kurnool,
Rep. by its Commissioner,
Kurnool, Kurnool District.

.....RESPONDENT

The Hon'ble Sri Justice Bilal Nazki
and
The Hon'ble Sri Justice Nooty Ramamohana Rao

Writ Petition No.1902 of 2007

Order: ***(Per Hon'ble Sri Justice Bilal Nazki)***

It appears that the writ petitioner moved an application before the respondent-Muncipal Corporation requesting them to

assess the house site patta property bearing No.41/592/2A situated in Survey No.140/A2 of the Kothapeta, Kurnool District, owned by him to property tax. The respondent rejected his request *vide* proceedings in Rc.No.9457/2002/G2/A6, dated 05-08-2006, on the ground that according to the Mandal Revenue Officer's report and the Assistant City Planner of Kurnool Municipal Corporation, the property in question did not belong to the petitioner.

If the Commissioner of the Municipal Corporation states that no tax will be levied against the petitioner, as he is not the owner of the property, for which, he is offering the tax, it is for the petitioner to establish his ownership over that property. This Court in these writ proceedings would not be able to decide the rival claims of the parties.

The writ petition is misconceived and it is, accordingly, dismissed. However, the petitioner is at liberty to seek any other remedy that may be available to him in law. No costs.

(Bilal Nazki, J)

5th February, 2007

(Nooty Ramamohana Rao, J)

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